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7 Attorney for Plaintiff  
8 Amanda Diorio

9 **IN THE UNITED STATES DISTRICT COURT**  
10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

11 AMANDA DIORIO,

12 Plaintiff,

13 vs.

14 PACIFIC TELESIS GROUP  
15 COMPREHENSIVE DISABILITY  
16 BENEFITS PLAN, and DOES 1-50,  
17 inclusive,

18 Defendants.

**Case No. C 05 03678 CW**

**STIPULATION AND ~~PROPOSED~~ ORDER  
TO DISMISS ACTION IN ITS ENTIRETY  
WITH PREJUDICE**

1 By and through their counsel of record, Plaintiff Amanda Diorio ("Plaintiff") and  
2 Defendant Pacific Telesis Group Comprehensive Disability Benefits Plan ("Defendant") hereby  
3 stipulate that the parties have reached an agreement to resolve this action in its entirety. The  
4 relevant documents have been finalized and the parties hereby stipulate to dismiss this action in  
5 its entirety with prejudice. Each side to bear their own fees and costs.

6  
7 LAW OFFICES OF JOHN N. FRYE

8 Dated: March 20, 2006

9 /s/ John N. Frye  
10 John N. Frye, Attorney for Plaintiff  
11 Amanda Diorio

12  
13 SBC WEST LEGAL DEPARTMENT

14 Dated: March 20, 2006

15 /s/ Marylou Karp  
16 Marylou Karp, Attorney for Defendant  
17 Pacific Telesis Group Comprehensive  
18 Disability Benefits Plan


19 **ORDER**

20 The above-captioned matter is dismissed in its entirety with prejudice.

21 **IT IS SO ORDERED.**

22 3/23/06

23 Dated: \_\_\_\_\_

24   
25 \_\_\_\_\_  
26 Honorable Claudia Wilken  
27 Judge of the United States District Court  
28

**PROOF OF SERVICE**

Diorio v. Pacific Telesis Group

Case No.: C05-03678 CW

I declare that:

I am employed by the Law Offices of John N. Frye in the City and County of San Mateo. I am over the age of eighteen (18) years and not a party to the within action. My business address is 411 Borel Avenue, Suite 500, San Mateo, California 94402.

Pursuant to the directions of the attorney who signed the foregoing, a member of the bar of this court, on March 20, 2006, I served the following document(s) entitled:

**Stipulation and [Proposed] Order To Dismiss Action In Its Entirety With Prejudice**

X (by **facsimile transmission**) on the party by transmitting said document(s) from our office by facsimile machine (650) 345-9875 to facsimile machine number(s) below. Following transmission, I received a "Transmission Report" from our fax machine indicating that the transmission had been transmitted without error.

X (by **mail**) on all parties in said action, in accordance with California Code of Civil Procedure, by placing true copies thereof, enclosed in a sealed envelope with postage thereon fully prepaid, addressed as set forth below.

\_\_\_\_\_ (by **personal delivery**) by personally delivering a true copy thereof to the person and at the address set forth below.

\_\_\_\_\_ (by **overnight mail**) by depositing a true copy thereof in a sealed packet for overnight mail delivery, with charges thereon fully prepaid and addressed as set forth below.

**Marylou Karp, Esq.  
Pacific Telesis Group Comprehensive  
Disability Benefits Plan  
2600 Camino Ramon  
San Ramon, CA 94583  
Fax: 925-244-9082**

I declare under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct.

Executed on March 20, 2006, at San Mateo, California.

  
Christina J. Lukens